



Ned Lamont
GOVERNOR
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Senator Maroney, Representative D'Agostino, Senator Witkos, Representative Cheeseman, and Honorable Members of the General Law Committee, I am Jonny Dach, Governor Lamont's policy director. Thank you for your hard work on behalf of Connecticut and for the opportunity to offer this testimony in support of Senate Bill 13, "An Act Expanding Economic Opportunity in Licensed Professions."

As Governor Lamont shared with you in the 2019 and 2020 State of the State addresses, his primary objective as governor is to get Connecticut's economy growing again and to ensure it's an economy that works for everyone, starting with a vibrant and growing middle class.

Twenty-five percent of the jobs in that economy are in licensed occupations—a five-fold increase since the 1950s and the highest in the broader New England and Mid-Atlantic community (e.g., Massachusetts, 21.3 percent; New York, 20.7 percent; Rhode Island, 14.5 percent). People who wish to work in those occupations must first obtain the permission of our state government.

In general, that expansive system of occupational licenses preserves public health and safety, as well as consumer confidence and employee welfare. At times, however, certain outmoded requirements frustrate current people in the workforce, prevent low-income and other disadvantaged workers from entering promising fields, and discourage skilled workers from moving to Connecticut. SB 13 modernizes aspects of those requirements to the benefit of current licensees, aspiring licensees, aspiring Connecticut residents, and the state as a whole.

In particular, it will expand job opportunities for Connecticut's young people. If we want to keep the next generation in our state, then we need to provide what that generation needs and expects: online access to state forms and affordable, high-quality educational opportunities; entry-level opportunities in promising careers; meaningful tuition assistance; a forgiving approach to early mistakes; and growing, vibrant communities.

Occupational licensing is a weighty issue that affects livelihoods, health, and safety. It is also an issue where bipartisan progress is possible. Governor Lamont appreciates this committee's tradition of thoughtful, bipartisan approaches to complex issues, like last year's revisions to the Liquor Control Act; the time you and your staff have invested through previous legislation and your contributions to a series of working groups; and your willingness to consider his proposals this year.

Our constituents should have the option of spending more time online and less time in line. **Section 1 requires state agencies provide workers in every significant licensed occupation the option of renewing their license over the internet.** Where already available, online renewals are increasingly popular. DPH, for example, first provided many of its licensees the option to renew online last

March. Already, nearly 20,000 constituents—a third of the eligible licensees—have renewed their license online rather than by mail. Online renewals are also significantly easier for the state and its staff to manage, as electronic applications and payments can be processed more quickly than paper files and checks. And, moving online allows licensees to receive a handy email reminder about renewal deadlines. Licensees who prefer to renew through the mail may continue to do so.

Agencies have made impressive progress transitioning to the state's eLicense system, which provides real-time access to more than 600 types of licenses and other credentials. At DPH, for example, 96 percent of licensees are in professions that can now submit initial applications online and 86 percent are able to renew their license online. But 14 percent of DPH licensees, including nearly 35,000 certified nurse's aides, still have no choice except to have their employer mail or fax a paper renewal form. SB13 sets an interim 2021 deadline by which agencies must inventory which licenses can be issued or renewed online and what resources would be required to provide an online option for those remaining. It sets a 2022 deadline for providing an online renewal option for any occupation with more than 50 licensees.

Moving the apprenticeship registration process online was one of the top recommendations of the Legislative Program Review and Investigations Committee's 2015 report on Apprenticeship Programs and Workforce Needs. Nearly half of those who responded to the PRI committee's survey said that the top improvement to apprenticeship administration would be providing online apprentice registration.

Connecticut residents should be able to pursue the high-quality workforce development opportunities required to succeed in and obtain a license for their dream jobs, not held back by the high cost or limited availability of those opportunities. Sections 2 and 3 propose a modest increase in the "hiring ratio" that governs the number of apprentices that can be sponsored by a given shop.

On job sites, there is always a 1:1 supervision ratio that preserves the safety of the apprentices, their colleagues, and their clients by requiring each apprentice's work to be overseen by at least one experienced worker. In addition to that job site ratio, there is a more complex hiring ratio. The current ratio schedule is one apprentice to one journeyperson for the first three apprentices (i.e., 1:1, 2:2, 3:3) and 1:3 after that, meaning shops have to hire three additional journeypersons to hire one additional apprentice.

In the words of the 2015 PRI report, "Connecticut's company-based ratio . . . is contentious, as it is elsewhere" and has been since at least the 1960s. A working group created to discuss the issue by P.A. 17-76 recently deadlocked, producing conflicting reports on whether major changes to the ratio were in the best interest of the state and its workers. SB 13 takes a fresh approach by distinguishing last-year apprentices, who are significantly more self-sufficient, from apprentices at earlier stages of their education. Each sponsor will be able to hire a last-year apprentice or a registered preapprentice without counting him or her toward the hiring ratio. Those changes reward good employers who retain apprentices throughout their training or provide a foot in the door to young people exploring their career options. They also usher younger workers into aging professions and create more opportunities for aspiring electricians, plumbers, sheet metal workers, and others to pursue the training the state requires of those who wish to enter these stable professions and secure a solid, middle-class life for themselves and their families.

Section 4 increases access to approved online courses, which are often lower cost than in-person classes and can be taken on workers' schedules from the comfort of workers' homes. It preserves

the considerable discretion that commissioners, state licensing boards, and certain nationally recognized organizations have to approve the courses that will satisfy the initial training or continuing education requirements associated with each occupational license, most of whom already have the option of approving online courses that meet the standards of the profession.

Some commissioners, boards, and organizations, however, are explicitly prohibited from approving high-quality online options by old-fashioned prohibitions on correspondence courses. SB 13 overwrites those prohibitions so that—when it makes sense to the content experts, which include representatives of the occupations and professions—online courses can be approved. Those courses are particularly valuable to rural, low-income, and other residents who struggle to afford enrolling in and traveling to the limited number of face-to-face opportunities, which are often only available at the end of already long workdays. The Office of Higher Education is working with the National Council for State Authorization Reciprocity Agreements to expand access to accredited online learning opportunities in Connecticut.

For example, section 20-275b-3 of the Regulations of Connecticut State Agencies allows electrologists to fulfill their continuing education requirements through correspondence courses and other self-instruction. Electrologists permanently remove human hair from our bodies by sliding hair-thin, solid metal probes into each hair follicle without puncturing the skin (when inserted properly). Electricity is delivered to the follicle through the probe, which causes localized damage to the areas that generate hairs, either through the formation of caustic sodium hydroxide, overheating, or both.

In contrast, section 20-146(c)-3 *et seq.* detail the requirements for qualifying continuing education activities for Connecticut opticians. Those sections describe the “theoretical or practical content” that can be covered in continuing education courses and require any provider be “approved by the American Board of Opticianry, the National Contact Lens Examiners or other nationally recognized organization approved by the department after consultation with the Connecticut Board of Examiners for Opticians.” They also limit qualifying courses to those involving “face-to-face didactic instruction.” Today, however, the American Board of Opticianry and the National Contact Lens Examiners approve online courses. Fulfilling the annual continuing education requirement through ABO and NCLE-approved online courses costs less than \$100, compared with several hundred dollars for access to a popular in-person option.

SB 13 would overwrite the inconsistently restrictive language in current law and regulations and restore the commissioners’, state boards’, and national organizations’ discretion to approve high-quality online courses that allow students to gain skills at low cost while following a flexible schedule. It would not apply to courses that necessarily include hands-on or clinical training, site visits, or other experiential learning opportunities that could not be replicated online.

Section 5 recognizes that there’s no one size fits all model for post-secondary education, as many high-quality workforce development opportunities exist outside of traditional institutions of higher education. Those opportunities are frequently beyond the reach of lower-income workers who are less likely to be able to afford the tuition and lost wages associated with licensing’s educational requirements, closing the door to many licensed jobs for them. SB 13 requires the Connecticut Higher Education Supplemental Loan Authority (CHESLA), a quasi-public authority that provides cost-effective education financing programs and information resources to Connecticut students, alumni and their families, to review the financing programs available to Connecticut residents pursuing

postsecondary occupational education and recommend how it could provide additional programs within its available resources.

Very few criminal convictions should come with a life sentence, but many formerly incarcerated people who have earned a second chance in society continue to face barriers to employment.

Sections 6 and 7 expand economic opportunities for the one in four Americans with a criminal record, benefitting not only those workers but also our broader community by reducing recidivism and increasing the options available to employers and consumers.

Section 6 directs the agencies that issue occupational licenses to review and make recommendations based on a forthcoming report from the Council on the Collateral Consequences of a Criminal Record established by P.A. 19-142. Anticipating portions of that report, it specifically directs agencies to look into centralizing and standardizing background checks across silos. Workers should be able to submit the information required for a background check online or at their choice of locations across the state, and the results of that check should be portable across professions. For example, a teacher cleared to work with students during the school year should not have to submit to and pay for an additional background check before taking a summer job at a youth camp.

Section 7 clarifies that DCP can only deny licenses on the basis of felony conditions. Currently, section 20-333 of the Connecticut General Statutes requires applicants for licenses in the building trades to satisfy the board or commissioner that they are “of good moral character.” SB 13 replaces that vague requirement with language, modeled on the DPH licensing requirements, clarifying that only felony convictions can provide a basis for denying a license and that those denials must be made on a case-by-by basis. That clarification largely conforms with current practice: in a sample of nearly 2000 license applications from 2015, for example, DCP recorded that 77 applicants had been convicted of a felony and approved 70 of those applicants for the exam. Those good practices notwithstanding, the presence of the vague language has given rise to a significant amount of misinformation that deters many applicants who would pass the background check from even beginning the apprenticeship or application process.

As a local law journal described it, “throughout its history, the moral fitness requirement has functioned primarily as a cultural showpiece. In that role, it has excommunicated a diverse and changing community, variously defined to include not only former felons, but women, minorities, adulterers, radicals, and bankrupts. Although the number of applicants formally denied admission has always been quite small, the number deterred, delayed, or harassed has been more substantial. In the absence of meaningful standards or professional consensus, the filtering process has proved inconsistent, idiosyncratic, and needlessly intrusive. We have developed neither a coherent concept of professional character nor effective procedures to predict it. Rather, we have maintained a licensing ritual that too often has debased the ideals it seeks to sustain.”

Growing our economy requires growing our population, which has been essentially flat for more than a decade. **Section 8** makes it easier for new families to choose Connecticut as the place they want to live, work, and raise children by making licenses more portable between states. More people in Connecticut means more jobs for current residents and more vibrant communities for everyone—two key changes that will encourage Connecticut’s children to stay in Connecticut.

Today, if you work in a licensed profession and are considering a new life in Connecticut, you have to navigate intricate, occupation-specific requirements to determine whether or not Connecticut will

recognize your out-of-state license. In many instances, your license will only be recognized if you move from a state that reciprocates Connecticut's out-of-state licensure process and has licensing requirements similar to or higher than our own—no matter how many years of on-the-job experience you've acquired.

A landmark Obama administration report on occupational licensing from the U.S. Department of Labor, Treasury Department, and White House Council of Economic Advisors found “substantial differences in the likelihood of moving across state lines between workers in highly licensed occupations versus other workers, while there are only modest differences between the two groups in the likelihood of moving within a state.” Subsequent research by the Federal Reserve found licensed workers with state-specific licensing requirements are 36 percent less likely to move to new states. The Obama administration report concluded that “licensing constitutes a significant barrier to relocation” and states should “harmonize licensing requirements to the maximum extent possible.”

SB 13 sets a new tone in Connecticut that says our state is ready to welcome new residents. If you **move to our state**, including as a military spouse, and if you **have been licensed in good standing in another state for at least two years**, the licensing agency can provide you a chance to sit the Connecticut exam and obtain a Connecticut license, **if you can pass the test**. In many instances, those two or more years of on-the-job experience will make up for any disparities in training requirements. Similar language passed with bipartisan majorities in Arizona in 2019 and is on track for bipartisan votes in at least two other states this year.

This section includes three safeguards that ensure public health and safety is preserved: (1) the testing requirement, as the tests frequently cover Connecticut-specific written in partnership with experts on the licensing boards; (2) the agency's ability to determine the practice level at which any Connecticut license is issued, which could include issuing an appropriately limited Connecticut license to a new resident who held a unlimited one in their home state; and (3) the agency's ability to deny an application in the best interests of the state.

Thank you for the opportunity to testify on these matters.